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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/540,401	06/23/2005	Akihiko Nishio	L9289.05151	9722
53989	7590	10/09/2009		
Dickinson Wright PLLC James E. Ledbetter, Esq. International Square 1875 Eye Street, N.W., Suite 1200 Washington, DC 20006			EXAMINER KHAN, MEHMOOD B	
			ART UNIT 2617	PAPER NUMBER
			MAIL DATE 10/09/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

DETAILED ACTION

Applicant argues that the applied reference discloses averaging interference measurements on each sub-carrier, i.e. each carrier's interference is averaged separately, allocated to a receiver. Applicant also states that the invention pertains to averaging the interference of each sub-carriers together.

The Examiner would like to state that none of the argued features are in the newly submitted claims. As for the claims, language supporting the above explanation of the disclosed invention is not stated within the claims. The claims should be amended to include the above language as stated within the specification. This may possibly overcome *Frodigh*. As such, *Frodigh* still reads on the claims and further discloses sending the measurement results to the system (Fig. 4A: 426,428) to the system. The measurement result indicating the reception quality of all of the plurality of the sub-carriers. Thus, so far the claims do not overcome *Frodigh*.

The examiner further considers the claimed language "one CQI" to be broader than a 'single value' as it could reasonably be interpreted as being a 'report' including many values (or one value for each channel) and thus still reads *Frodigh*.

/M. B. K./

Examiner, Art Unit 2617

/Lester Kincaid/

Supervisory Patent Examiner, Art Unit 2617